IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.47871 of 2008

1. RAMA YADAV
2. MAHAVIR YADAV
3. JHAMAN YADAV

Versus

STATE OF BIHAR

For the petitioners : Mr. Shanti Suman Kumar, Advocate.
For the State : Mr. Upendra Kumar, APP.

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2 16.12.2008 Heard.

It appears that sometimes in the year 1991, the Petitioners were made accused in a case instituted under various sections of Indian Penal Code including section 302 of Indian Penal Code. It further appears that they were granted bail on merit by this Court on 9.6.1991 and thereafter they continued to appear before the Court till 16.9.2003 and thereafter, it appears, they defaulted in appearing before the Court.

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Counsel for the petitioners submits that, in fact, the instruction was given to the munshi of the Advocate for filing appropriate representation in the Court below. It has further been submitted that the petitioners had gone outside the State in connection with earning for their livelihood. It has further been submitted that the petitioners upon cognizance of the matter surrendered in Court below on 5.8.2008 and since then they are in custody.

Under the facts and circumstances of the case, this Court is inclined to admit the petitioners to bail.

Let the petitioners abovenamed be released on bail on

furnishing bail bond of Rs. 10,000/- (ten thousand)each with two sureties of the like amount each to the satisfaction of learned F.T.C.-1st West Champaran in connection with S. Tr. No. 474/92 arising out of Thakraha P.S. case no. 29/91 subject to the following conditions.

(i) one of the bailers should be the own/close family members of the petitioner.

(ii) The petitioners shall appear in person on each and every date fixed in the Court below where the trial of the case is pending.

(iii) In the event of their non appearance, without any cogent/satisfactory reason to the satisfaction of the Court in seisin of the matter, the bail bond of the petitioner shall be cancelled and thereafter the Trial Court will be at liberty to secure his arrest in accordance with the procedure known in law.

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pkj **(Kishore K. Mandal, J)**